

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**GABRIEL MARTIN LOPEZ,**  
**Petitioner,**

**v.**

**THE ATTORNEY GENERAL OF THE**  
**STATE OF PENNSYLVANIA,**  
**Respondent.**

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**CIVIL ACTION NO. 21-CV-3353**

**ORDER**

**AND NOW**, this 13<sup>th</sup> day of December 2023, upon consideration Petitioner's Petition for Writ of Habeas Corpus (ECF No. 1), the Commonwealth's Response (ECF No. 10), Petitioner's Reply (ECF No. 11), the other documents filed by the parties, and after review of the Report and Recommendation of United States Magistrate Judge Carlos Sandra Moore Wells (ECF No. 12),

**IT IS HEREBY ORDERED** as follows:

1. The Report and Recommendation is **APPROVED AND ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED**, without an evidentiary hearing;  
and
3. Petitioner has neither shown denial of a federal constitutional right, nor established that reasonable jurist would disagree with this Court's procedural disposition of his claims. Consequently, a certificate of appealability is **DENIED**.

**IT IS FURTHER ORDERED** that the Clerk of Courts is **DIRECTED** to mark this case **CLOSED**.

BY THE COURT:

/s/ John M. Gallagher  
JOHN M. GALLAGHER  
United States District Court Judge